

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
2 United States Attorney

FILED

2008 MAR 21 A 9:52

RICHARD W. WIERING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 FIDEL BUSTOS-LOPEZ,
16 a/k/a. Jose Valencia,

17 Defendant.
18

No. CR 08 00167 - *RMW*

VIOLATION: 8 U.S.C. § 1326 -
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

19 AMENDED INFORMATION

20 The United States charges:

21 On or about August 2, 2007, the defendant,

22 FIDEL BUSTOS-LOPEZ,
23 a/k/a Jose Valencia,

24 an alien, previously having been arrested and deported from the United States on or about
25 May 21, 1999, August 15, 2001, December 30, 2002, June 1, 2004, June 23, 2005 and January 9,
26 2007, was found in the Northern District of California, the Attorney General of the United States
27 and the Secretary for Homeland Security not having expressly consented to a re-application by
28 the defendant for admission into the United States, in violation

//

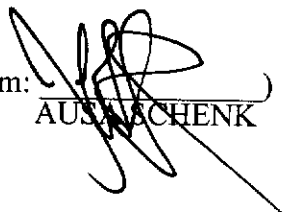
Valencia

1 of Title 8, United States Code, Section 1326.

2 DATED: 3/20/08

3 JOSEPH P. RUSSONIELLO
4 United States Attorney

5 DAVID R. CALLAWAY
6 Deputy Chief, San Jose Office

7 (Approved as to form: )

8 AUSMACHENK

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Title 8, U.S.C. § 1326 - Illegal
 Re-Entry Following Deportation

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 20 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100 special assessment fee
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

 Name and Office of Person
 Furnishing Information
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

JEFFREY B. SCHENK

FILED

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

FIDEL BUSTOS-LOPEZ a/k/a Jose Valencia

U.S. DISTRICT COURT NO. DISTRICT COURT NUMBER

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
PROCESS:**ADDITIONAL INFORMATION OR COMMENTS**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: